

REDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday, October 27, 2014

Those Present: Mr. Dick Zimmerman, Chairman
Mr. Rick Stup, Board Member
Mrs. Linda B. Thall, Sr. Assistant County Attorney
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector
Ms. Kathy L. Vahle, Administrator

A Public Meeting was held at Thurmont Townhall, Thurmont, Maryland, and was called to order at 9 am by Chairman Zimmerman.

1. Decision Required: Violation

RE: Lean K. Manea and Chanmony
Prom for the use of Water
Street Liquors Inc.
t/a Town 'n' Country Liquors
34 Water St.
Thurmont, MD 21788
Class A, Off Sale, BWL # 11AL 1297 SU
FCLB Case Number: 6761

The Board held a violation hearing for the charge of selling an alcoholic beverage to a minor. The Licensees pled Not Guilty. The clerk checked the ID but made the sale. After being charged with a violation the licensee bought an ID scanning system for checking the ID's. Ms. Vahle stated that the license was issued on February 3, 2004, on July 12, 2005 there was a \$25 fine for Filing the Renewal late, on April 1, 2009, the Thurmont Police Department did a Compliance check and they did not sell. Then on March 21, 2014 there was no work schedule on the premises and they were given a written warning.

Finding of Fact: The Board found the licensees either directly or through an employee knowingly sell an alcoholic beverage to a minor, Christopher Lee Lowry, on September 18, 2013.

Finding of Fact: The Board found the licensees either directly or through an employee permit the possession of an alcoholic beverage by a minor, Christopher Lee Lowry, on September 18, 2013.

Conclusion of Law: The Board found the licensees guilty based on the findings of fact violate Section 12-108(c) of Article 2B of the Maryland Annotated Code and Section 615 (a) and (g) of the Board's Regulations.

MOTION: Mr. Stup made a motion for a fine of \$400 and suspended the fine.

SECOND: Chairman Zimmerman seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup – Aye
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 2 Nays – 0**
(Motion Passed)

2. Conference

RE: Robert Harne and Robin Harne
for the use of Rube's Crab
Shack LLC
t/a Rube's Crab Shack
17308 N. Seton Ave.
Emmitsburg, MD 21727
Class B, On Sale, Beer, Wine & Liquor
License Number 11BL 3208

The Board held a conference with this establishment regarding noise complaints. Mrs. Harne stated she constantly checks for noise outside and even said the Police Department sat in their parking lot and could hear nothing. All entertainment is inside of the establishment except once a year for the fire company. They do not have bands on Friday nights only on Saturday nights. None of the other neighbors complained, only Dr. Smith. Chairman Zimmerman asked if the complainant, Dr. Smith had notice of the Hearing. It was confirmed that an email was sent as notice of the Hearing, but Dr. Smith did not attend. The Board asked that Mrs. Harne get the other neighbors to send a letter to the Board regarding the noise.

The meeting was adjourned at 9:57AM.

Respectfully submitted,

Kathy Vahle, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees